IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Bail Appl..No. 849 of 2007()

(CRIME NO.229/2006 OF CHAKKARACKAL POLICE STATION)

PETITIONERS/ACCUSED 2 TO 6:

---

1. SAJNESH, S/O. THULASIDHARAN,
   AGED 26 YEARS, SHIVALAYAM, CHELORA AMSOM DESOM,
   KANNUR DISTRICT.

2. SAFARUDHEEN P., S/O. ABOOBACKER,
   AGED 25 YEARS, AUTO DRIVER BY OCCUPATION,
   FATHIMAS CHELORA AMSOM DESOM,
   KANNUR DISTRICT.

3. K.T.RAZAK, S/O. MOHAMMED,
   AGED 25 YEARS, K.T.HO IRIVERY AMSOM,
   KANAYANNOOR DESOM, KANNUR DISTRICT.

4. R.M.ANSAR, S/O. ABDULLA, AGED 29 YEARS,
   RAHAMATH MANZIL, CHEMBILODE AMSOM DESOM,
   KANNUR DISTRICT.

5. JIYAS P., S/O. ABOOBACKER,
   AGED 24 YEARS, RESIDING AT FATHIMAS,
   CHELORA AMSOM, DESOM, BROTHER OF SAFARUDHEEN.

BY ADV. SRI.C.K.SREEJITH

RESPONDENT/COMPLAINANT:

S.H.O. CHAKKARACKAL POLICE STATION,
KANNUR DISTRICT, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/02/2007THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

BAIL APPLICATION NO. 849 OF 2007

- - - - - - - - - ----------- - - - - -

DATED THIS THE 13TH DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are accused Nos.7, 3, 6, 2 and 4 respectively in Crime No.229/06 of Chakkarakkal Police Station for an offence punishable under section 395 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 4.15 PM on 27.11.2006 the petitioners came in a Maruthi Omni Van, assaulted the de facto complainant and robbed him of cash worth Rs.42,000/=.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn